

DEPARTMENT OF ALCOHOL AND DRUG PROGRAMS

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DATE: June 29, 2005 ACLA Letter No. 05-05

TO: All County Lead Agencies (ACLA)

SUBJECT: SUBSTANCE ABUSE AND CRIME PREVENTION ACT OF 2000
(SACPA) – EXCESS FUNDS

REFERENCE: Divisions 10.8 and 10.9, Health and Safety Code; Title 9, California
Code of Regulations Sections 9515, 9520, and 9525; ACLA
Letter #05-04

This letter is to notify you of the status of proposed emergency regulations relating to the distribution of excess funds and to clarify the fund distribution process.

The Department of Alcohol and Drug Programs (ADP) notified counties that regulations to implement the proposed distribution changes had been developed in ACLA Letter #05-04, issued March 18, 2005. The letter indicated ADP's intent for emergency regulations to take effect for the Fiscal Year (FY) 2005-06 allocations. However, a decision was made to not file the emergency regulation package. Because the circumstances leading to the promulgation of the regulations were not unforeseen, it was determined that package would not meet the test for emergency status.

ADP issued two preliminary allocations on March 18, 2005. The first was based on ADP's proposed excess funds regulations. ADP encouraged counties to develop their plans using this allocation (see Attachment A). The second allocation was based on the current methodology if the excess funds regulations were not adopted. Because the emergency regulations will not take effect, the preliminary allocation for FY 2005-06, that counties should anticipate is the one based on the methodology contained in current regulations (see Attachment B).

ADP will release an ACLA letter that transmits the final allocation when the Governor's Budget is signed. However, ADP is required to issue funds to counties that have an approved FY 2005-06 SACPA County Plan regardless of whether the budget has been signed. In that event, ADP will release the amount reflected in the preliminary allocation contained in Attachment B.



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<http://www.flexyourpower.ca.gov>

All County Lead Agencies

June 28, 2005

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If you have questions regarding this letter or the county plan process, please contact your SACPA county liaison or the Office of Criminal Justice Collaboration at (916) 445-7456 or SACPA@adp.state.ca.us.

Sincerely,

[Original Signed By]

DEL SAYLES-OWEN

Deputy Director

Office of Criminal Justice Collaboration

Attachments

A: [FY 2005-06 SACPA Governor's Budget \(Preliminary\) Allocation: Proposed Methodology](#)

B: [FY 2005-06 Governor's Budget \(Preliminary\) Allocation: Current Methodology](#)